

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SWIMC, INC., a corporation,)
)
Plaintiff,)
)
v.) Case No. 06 194
)
FINE PAINTS OF EUROPE, INC., a corporation,)
)
Defendant.)

STIPULATED NOTICE OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(i), Plaintiff SWIMC, Inc., through counsel, hereby moves the Court to dismiss all claims in this matter. Because Defendant, Fine Paints of Europe, Inc. has not yet served an answer or motion for summary judgment, Plaintiff moves for such dismissal to be without prejudice and with leave for the Plaintiff to reinstate its claims. Counsel for Defendant, Fine Paints of Europe, Inc., hereby stipulates to this dismissal without prejudice.

Respectfully submitted this 11th day of October, 2006.

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CERTIFICATE OF SERVICE

I, Lorraine Diaz, certify that I am not less than 18 years of age, and that service of the Stipulated Notice of Dismissal Without Prejudice was made on October 11, 2006 upon:

Via Hand Delivery

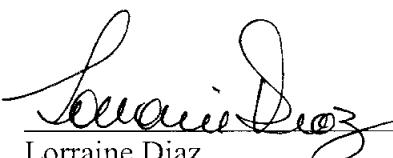
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Via Regular U.S. Mail

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Under penalty of perjury, I declare that the foregoing is true and correct.

October 11, 2006
Date


Lorraine Diaz